GO # ADM-004

OATH OF OFFICE, ETHICS, AND CONDUCT

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SUBJECT OF SHAME

PURPOSE

The purpose of this directive is to ensure that Department personnel are aware of the actions and attitudes expected of them and to provide members of the public with a general standard by which they can measure the performance of the Department.

POLICY

All Savannah Police Department (SPD) sworn personnel shall take and subsequently abide by an oath of office to enforce the Constitution and laws of the United States, the Constitution and laws of the State of Georgia, and the ordinances of Chatham County and the City of Savannah, as well fulfilling their duty based on the Law Enforcement Code of Ethics.

It shall be the policy of the SPD to comply with State and Federal law and to preserve and protect the constitutional rights of the community. It shall further be the policy of the SPD that all sworn personnel will abide by the Canon of Ethics as set forth in this directive. Pursuant to the Home Rule provisions for counties of the Constitution of the State of Georgia, and the Savannah City Council requires SPD Police Officers to take and abide by the following Savannah Police Department Oath of Office prior to sworn status:

I, _____, do solemnly swear or affirm that I will uphold and defend the Constitution of the United States of America; that I will faithfully uphold, and defend the Constitution and Statutes of the State of Georgia; that I will faithfully uphold, and defend the Charter and the Ordinances of the City of Savannah; that I will faithfully discharge all of the duties and obligations of my office, and that I will faithfully observe all the rules, orders and regulations of the Savannah Police Department.

I do further swear or affirm that I am not the holder of any unaccounted for public money due this state or any other political subdivision or authority there of; that I am not the holder of any office of trust under the government of the United States, any other State, or any foreign state which, by the laws of the state of Georgia, I am prohibited from holding; and that I am otherwise qualified to hold the office of a police officer according to the Constitution and the laws of Georgia.

I do further swear or affirm that, as a police officer, I will faithfully follow the orders of the

Chief of Police, and I will faithfully serve and protect all citizens conscientiously, and without malice or partiality, to the best of my ability.

I accept the law enforcement code or canon of ethics as my standard of conduct while on or off duty and swear to faithfully abide by and defend the same.

So help me God.

[CALEA 1.1.1]

SPD Police Officers will observe the principles as set forth in the Canons of Law Enforcement Ethics. All sworn employees of the SPD will abide by the **Law Enforcement Code of Ethics**:

> *As a law enforcement Officer, my fundamental duty is to serve mankind; to safeguard life and property; to protect the innocent against deception; the weak against oppression; and the peaceful against violence or disorder; and I will respect the constitutional rights of all men to LIBERTY, EQUALITY, and JUSTICE.*
>
> *I will live my private life as to be an example to all. I will develop self-restraint and be constantly mindful of the welfare of others.*
>
> *I will be exemplary in obeying the laws of the land and the regulations of the Savannah-Chatham Metropolitan Police Department. I will remain courageous calm in the face of scorn, danger, or ridicule.*
>
> *I will never permit my personal feelings to influence my decisions. I will enforce the law courteously and appropriately without fear of favor, malice, or ill will, never employing unnecessary force and never accepting gratuities.*
>
> *I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will strive constantly to achieve these objectives and ideals, dedicating myself before God to my chosen profession.* [CALEA 1.1.2]

All non-sworn employees will be aware of and comply with the following **Code of Ethics for City Employees:**

As City employees we shall...

Exhibit pride and loyalty in all matters pertaining to the City and each other. However, we shall not knowingly be a party to any illegal or improper activity.

Not knowingly engage in acts or activities which are disgraceful or unbecoming to a City Employee.

Not do anything which may be in conflict with the interests of the City or which would hurt our ability to do our jobs.

Not accept gifts, goods, services, or materials of value from a customer, supplier, vendor representative, or other individual.

Be careful in the use of information acquired in the course of our duties.

SHIELDS OF SHAME

We will not use confidential information for any personal gain nor in any manner which would be against the law or damaging to the City's welfare.

Maintain high standards of competence, dignity and fairness

Every employee will receive documented training concerning the code of ethics at a minimum biennially. All new employees will receive training in their first thirty days of employment. Training may be in the form of roll call, shift briefing, or a formal classroom setting. [CALEA 1.1.2]

The following Oath of Honor will be recited at all training sessions and will open all SPD ceremonies.

On my honor,
I will never betray my office,
my integrity, my character,
or the public trust.
I will always have
the courage to hold myself
and others accountable for our actions.
I will always uphold the constitution,
my community and the agency I serve.

All on or off duty, sworn and civilian, employees of the SPD must at all times conduct themselves in a manner which does not bring discredit to themselves, the SPD, or the City of Savannah. Therefore, the following rules will be adhered to without discretion.

DEFINITIONS

These definitions shall apply to the use of such terms herein as well as to the use of such terms in all other Departmental contexts, unless a different definition is specifically set forth in another document.

ACTING: Serving temporarily in a position to which the employee is not ordinarily assigned, usually in a position of higher authority and having all the authorities, responsibilities, and duties of the higher position applicable to the acting employee.

ADMINISTRATIVE LEAVE: A condition in which, for the convenience of the Department, an employee is relieved of his responsibility to report for duty or exercise police authority.

ADMINISTRATIVE ORDER: Written order issued by the Chief of Police as a guiding source of reference to procedural matters involving administration of departmental or city policies.

APPOINTMENT: The designation of a person by the appointing authority to any position within the Department.

ASSIGNMENT: Any personnel placement made by established authority.

AUTHORITY: Legal or rightful power; a right to command or act.

CHAIN OF COMMAND: Ascending or descending order of rank.

COMMANDING OFFICER: Any employee holding a command position of commission.

CONFIDENTIAL: Secret, not to be divulged to unauthorized persons.

SHIELDS OF SHAME

CONTROLLED SUBSTANCE: As defined by the Georgia State Criminal Code.

DEPARTMENT: The Savannah Police Department.

DIRECTIVES: An authoritative instruction or order, which governs policy; procedures, rules, or regulations, whether issued verbally, electronically or in written form

DISMISSAL: The act of terminating the employment of an employee.

DIVISION ORDERS: Standing orders that contain a purpose statement, a policy statement, and standard operating procedures, and may be issued by the Chief of Police, a Division Commander, or designee. Division Orders are applicable only to the issuing Division.

DUTY: Includes those tasks required by law, authoritative instruction, one's assignment, rank or status.

EMPLOYEE: All sworn and non-sworn personnel working for the SPD.

ESTABLISHED AUTHORITY: Legal or rightful power to command or have command over; this Includes supervisory and administrative authority.

EXTRA-DUTY: - Outside employment wherein the use of law enforcement powers are anticipated.

GENDER: The use of the masculine gender shall also include, when appropriate, the female gender, unless otherwise specified.

GENERAL ORDER: Written orders issued by the Chief of Police outlining policy or procedure on matters, which affect the entire department. A General Order is the most authoritative current directive issued by the Department and may be used to amend, supersede, or cancel any other rule, regulation, or order. General Orders are permanent department policy and remain in full force and effect until amended, superseded, or cancelled by the Chief of Police.

IMMEDIATELY: As soon as possible without unnecessary delay.

INSUBORDINATION: The willful disobedience of a lawful order issued by any commanding officer or disrespectful, mutinous, rebellious, insolent, or abusive language or action *toward* any commanding officer.

LAWFUL ORDER: Any written or oral directive issued by any commanding officer to any subordinate or group of subordinates in the course of police duty which is not in violation of any law or ordinance or any Department rule, procedure or instruction. (An order, which may be challenged at a later date, must be obeyed at the time of issuance.)

MALFEASANCE: The doing of an unlawful act in office.

MAY: The word "may" as used herein shall mean that the action indicated is permissible.

MEMBER: Any person duly appointed to the Department as a sworn police officer, police recruits are included in this definition.

MISFEASANCE: The wrongful doing of a lawful act in office.

NEGLECT OF DUTY: The failure to give suitable attention to the performance of duty. The failure to take appropriate action on the occasion of a crime, disorder, or other act or condition requiring police attention. The failure to perform duties as required.

OFF DUTY: That period of time, that excludes the assigned work period during which an

SHIELDS OF SHAME

employee would not normally be required to actively engage in the performance of his assigned duties.

OFF-DUTY EMPLOYMENT - Outside employment wherein the use of law enforcement powers is not anticipated.**OFFICER IN CHARGE:** The member having the highest rank. Members of the same rank shall assume charge according to the date of appointment to that rank unless otherwise ordered by the Chief of Police or designated authority.

ON DUTY: That period of time when an employee is actively engaged in the performance of his assigned duties.

ORDER: An order is a command; a directive (either oral or written) given by one in authority and directed to a subordinate.

PERSONALLY RESPONSIBLE: A duty or responsibility that falls upon an individual himself. The responsibility cannot be conveyed or assigned to another.

POLICY: Any governing principle, broad plan, or course of action, either oral or written, designed to accomplish the Department's goals.

PRIVILEGE: A condition, which is not, a basic right but which is granted at the discretion of the Department.

PROCEDURE: The official method of dealing with any given situation as prescribed by General Orders, Special Orders, Administrative Orders, procedural manuals, training communications or other directives.

REPORT: A written communication unless otherwise specified.

RIGHT: A condition specifically outlined by law, administrative directive or contractual agreement.

RULES AND REGULATIONS: The terms "rules and regulations" as used herein are interchangeable since both indicate basic internal departmental directives. They refer to broad precepts of authority, responsibility or conduct. They carry the full force and effect of a direct order from the Chief of Police and stand until cancelled, amended or superseded by a direct written order of the Chief of Police.

SHALL/WILL: The words "shall" or "will" shall indicate that action specified is mandatory.

SICK LEAVE: That period during which an employee is excused from duty for illness or injury under the applicable provisions of current General Orders and City of Savannah Policy.

SPECIAL ORDER: A written directive issued by established authority outlining instructions covering particular situations.

SUPERVISOR: Any person designated to act in a supervisory capacity, whether permanent or "acting" in a temporary appointment.

SUSPENSION: The act of temporarily denying an employee the privilege of performing his duties.

PROCEDURE

I. GENERAL STANDARDS OF CONDUCT

A. SPD employees will conduct their private and professional lives in such a manner as to avoid negative reflection upon themselves, the department or their chosen

SHIELDS OF SHAME

profession. Unacceptable conduct, whether on duty or off duty, includes, but is not limited to, arrest or conviction of any felony, arrest or conviction of any misdemeanor involving moral turpitude, or violation of any statue, law or official regulation, rule or order or commission of any act which compromise the public trust necessary for employment. To further the principle of professional law enforcement SPD employees will adhere to the following rules. [CALEA 26.1.1]

1. **Conduct Unbecoming** – The conduct of a public employee, on or off duty, reflects upon the SPD. The SPD shall investigate complaints and/or a circumstance suggesting an SPD employee has engaged in conduct unbecoming and shall impose disciplinary action when appropriate.

2. **Incompetence** - SPD employees shall maintain sufficient competency to properly perform their duties and to assume the responsibilities of their position. SPD employees shall perform their duties in a manner which will tend to maintain standards and establish efficiency in carrying out the functions and objectives of the Department. Incompetence may be demonstrated by repeated poor evaluations or a written record of repeated infractions of the rules, regulations, manuals or directives.

3. **Impartiality** - SPD employees, while charged with consistent and practical enforcement of the law, must remain completely impartial toward all persons coming to the attention of the SPD. Exhibiting partiality for or against a person because of race, creed, or influence is unprofessional conduct. Similarly, unwarranted interference in the private business of others, when not in the interest of justice, is unprofessional conduct and prohibited.

4. **Truthfulness/Honesty**: Employees shall not willfully, intentionally, or knowingly depart from the truth OR in any way be deceptive, provide misrepresentations, falsification, deliberately or intentionally omit or misrepresent material facts when giving testimony, providing information (orally or in writing), or reporting in connection with any official duties. This includes the submission of fictitious or inaccurate reports or the falsification or misrepresentation of any facts or circumstance in official agency records. Upon the order of a superior, employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the agency.

5. **Treatment of Others** - Employees shall treat citizens, superiors, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another and in the presence of the public; employees will be referred to by rank.

   a. Employees shall not engage in offensive or harassing conduct, verbal or physical, towards fellow employees, supervisors or the public during work hours or off-duty hours.

   b. No employee will speak disrespectfully of any nationality, race, sex, or religion.

SHIELDS OF SHAME

c. No employee will engage in grossly indecent or vulgar talk which would detract from the efficient operation of the SPD or create an uncomfortable work environment.

d. No employee will create, or pass on either verbally or electronically any malicious rumors concerning other employees that is knowingly false or designed to speak disparagingly of others or department operations.

e. When answering telephone calls on department phones or in response to your duties, you must identify yourself by: Rank (if applicable), name and your department or unit. You shall be courteous, respect and attentive throughout the interaction. If requested, name and payroll number will be given to requester in a courteous manner.

6. **Insubordination** - SPD employees will perform their duties as required or directed by law, Department rule, policy, order, and directive or by a verbal order of a superior officer. The willful disobedience of a lawful order issued by any commanding officer or disrespectful, mutinous, rebellious, insolent, or abusive language or action toward any commanding officer will be considered insubordination and subject to discipline.

7. **Chain of Command**_– No employees will bypass any supervisor within their Chain of Command in routine matters. Should the employee have a grievance or wishes to report illegal or improper conduct involving their immediate supervisor they may go directly to the next person in line. This does not apply to immediate emergency notifications.

8. **Cooperation** – Cooperation is essential to effective law enforcement. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation.

9. **Questions of Citizens** - All employees will answer questions posed by citizens in a courteous manner or if unable to supply an answer, will make every effort to secure the answer. If requested, name and payroll number will be given to requester in a courteous manner and department identification displayed. This precludes officers working in an undercover capacity from revealing their identity when it would jeopardize their mission.

10. **Divulging Information** - Employees shall not divulge police information to which they have access or which may come to their attention, nor shall they make available any information contained in police records, radio communications, photographs, computers, teletypes or other files or information in any form whatsoever. For purpose of this section, all department information is to be considered confidential unless otherwise provided by current directives or directed by a supervisor. This section does not apply to orders that are of such a nature that they must be communicated to others.

11. **Uniform Requirements** – No employee of the SPD will wear SPD uniforms at any time except when on active duty or on special occasions or assignments, including approved extra-duty employment. No employees will allow anyone beyond sworn members of the department to wear any uniform items.

SHIELDS OF SHAME

12. **Duty Time** – Employees will report for work on time and ready to perform their job. They will remain at their work station or assignment until relieved appropriately.

    a. Employees will not devote any of their "on duty" time to any activity other than that which relates to police work unless permission is granted by competent authority.

    b. Employees will not read magazines, papers books, etc. in public view that are not within the scope of their assigned duties.

    c. Employees will not conduct personal business to include operating a private business during duty hours

13. **Misappropriation of Property** - No employees of the SPD will appropriate for their own use any lost, found, or stolen property. No employees will convert to their own use any property of the City of Savannah or property held by the SPD.

14. **Absent Without Leave (AWOL)** - SPD employees will not be absent from duty without first submitting the appropriate paperwork or making the proper notification. Failure to do so will be considered AWOL. Leaving an assignment or duty post without permission will be considered AWOL. Arriving late without authorization will be considered tardiness and will subject the employee to possible discipline.

    a. Failure to report for duty "AWOL" is punishable by a minimum of a three (3) day suspension.

    b. Failure to respond to a call back or other mandatory staffing requirements (such as St. Patrick's Day, Fourth of July, Rock-n-Roll Marathon, etc.) is punishable by a minimum of a five (5) day suspension.

15. **Address And Telephone Numbers** - Immediately upon reporting for duty in a new unit, employees will record their correct residence address and telephone number with their Commanding Officer. Employees are required to have a telephone in the place where they reside. Changes in address or telephone number will be reported to their Commanding Officer within 24 hours of the change.

    a. SPD employees will not release to the public or any public agency the restricted home telephone number of any other employee of the Department without authorization from a superior Officer of the rank of Sergeant or higher. They will also not release the pager number or cell phone number of department pagers and cell phones without the same permission.

    b. SPD employees will not use the Department address on any motor vehicle registration or operator's license.

16. Conflicts of Interest

    a. **Contributions** - No employee will seek or be obliged to make contributions in money, service, or otherwise for any political purpose.

    b. **Political Activity** - No sworn employee, while on duty or in uniform, will engage in political activity or discussion on behalf of, or against, any

SHIELDS OF SHAME

candidate or political question. This does not mean that employees are prohibited from exercising their legal voting right.

c. **Not to Recommend Services** - Employees will not recommend or suggest to anyone in the course of their duties the employment or name of any towing firm, funeral director, or other tradesman or inform such tradesmen of any situation wherein their services might be sought.

d. **Interfering with the Course of Justice** - Employees will not take part in, or be concerned with, either directly or indirectly, any compromise or arrangement with any person for the purpose of permitting an accused person to escape penalty for their wrong doing. No employees will seek to interfere with the course of justice for the purpose of obstructing justice. Information of any negotiation between an accused or their representative and the accuser or any witness will be disclosed to the proper superior or to the presiding officer of a court or hearing.

e. **Recommendation for Disposition of Cases** - Employees will not make recommendations for the disposition of any case pending in the courts without the consent of the Office of the Chief of Police.

f. **Statements Concerning Liability** - Employees will not make any oral or written statement to anyone concerning liability in connection with the operation of police vehicles or performance of other police duty, unless specially authorized to do so by the Chief of Police.

g. **Gifts and Favors** - Employees of the SPD will not seek, directly or indirectly, or accept any gift, present, or gratuity from any person, firm, group of persons, or relatives, friends, or employees of the same, on the basis of their employment with the SPD.

h. **Games of Chance** – Participating in games of chance, card playing, or gambling, including the purchase of lottery tickets is prohibited while on duty or in a police uniform. This excludes activities that are part of a legitimate criminal investigation.

i. **Associating with Criminals** - SPD employees shall avoid regular associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in them or the SPD. This rule does not prohibit those associations that are necessary to the performance of official duties, or where such associations are unavoidable because of the SPD employee's personal or family relationships

j. **Other Transactions** - SPD employees are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their departmental employment, except as may be specifically authorized by the Chief of Police.

k. **Nepotism** – No employee will supervise either directly or indirectly any person to whom they are related to. (Refer to City Policy for details)

SHIELDS OF SHAME

B. Commanders and supervisors shall insure that employees under their command perform their duties appropriately

1. Commanders and supervisors will provide efficient, effective and meaningful direction to subordinates and assist and instruct subordinates in the performance of their duties.

2. Commanders and supervisors who overlook condone or fail to take actions on incompetence or misconduct on the part of their employees shall be guilty of neglect of duty and subject to discipline.

II. FITNESS FOR DUTY STANDARDS

A. Employees are expected to maintain a degree of physical fitness which enables them to perform the physical activity, required by their job classification and assignment.

B. Employees may be compelled to take a physical and/or mental examination at City of Savannah expense, with cause, only to confirm the employees' continued fitness to perform the tasks of their assignments and to inform them of their general physical condition, not to identify employees with disabilities who are otherwise able to perform their assigned duties, with or without reasonable accommodation. [CALEA 22.3.1]

C. The nature of some specific positions or responsibilities may necessitate periodic specific health screenings, such as those for crime scene personnel, firearms instructors, or range technicians who are repeatedly exposed to hazardous chemicals or lead contaminates.

D. SPD employees will not at any time be intoxicated while on duty.

1. Employees will not consume intoxicants while off duty to the extent that evidence of such consumption is apparent when reporting for duty or to the extent that their ability to perform their duty is impaired. Employees will not consume intoxicants while on duty, unless necessary in the performance of a police task and then only with the specific permission and supervision of a commissioned officer and never in uniform.

2. SPD employees will not use controlled substances, narcotics or hallucinogens, except when prescribed in the treatment of the employee by a licensed physician or dentist. When controlled substances, narcotics or hallucinogens are prescribed, the employee will notify their supervisor immediately.

3. SPD employees will not bring, place, or permit to be brought or placed, or allow to be kept in any building, location, or vehicle within or under the control of the SPD any intoxicant, exhilarant, hypnotic, hallucinogen, or narcotic except in the performance of police duties as required by regulations or orders or when it is needed for prompt administration by orders of a licensed physician.

E. Civilian employees are prohibited from bringing firearms into any building operated by SPD of the City of Savannah with the exception of evidence or an approved training session.

F. SPD employees are prohibited from sleeping while on duty

SHIELDS OF SHAME

G. SPD employees will not conduct private business to include operating a privately owned business during duty hours.

H. **Smoking** - Employees will not smoke or use tobacco products in view of the public, in any office operated by the City of Savannah, or in any police vehicle. Those employees hired under a no tobacco use agreement are prohibited from using tobacco products.

I. **Sick Leave**

1. SPD employees utilizing a sick day shall contact (or have a representative contact) the on duty precinct supervisor or their unit supervisor (or designee) each day they call in sick.

   a. In the event that you are unable to contact the on duty supervisor or your unit supervisor you may move up your chain of command until proper notification is made.

2. SPD employees needing to utilize a sick day will be required to call in (or have a representative call in) each day, at least one hour prior to their reporting time.

   a. When calling in, the supervisor must be made aware of your regular days off and the names of all immediate supervisors (when applicable).

   b. Supervisors will not inquire as to the nature of the illness nor will they relay any information concerning the nature of the illness to others should the person checking off tell them.

3. The Supervisor receiving notification will ensure that an electronic leave request is completed, immediately after notification.

   a. The employee's immediate supervisor(s) and Police Personnel will be included in the routing of the electronic leave request.

4. SPD employees who have checked off sick may not work off duty or outside employment until they have returned to duty for at least one shift.

J. Employees will report any injury on duty to their supervisor in accordance with requirements set by the City of Savannah Risk Management.

III. PROFESSIONAL LIFE STANDARDS

I. **Limitation of Authority** - The first duty of an SPD Officer, as upholder of the law, is to know the bounds the law established for its enforcement. The SPD Officer must, therefore, be aware of the limitations and proscriptions which the people, through law, have imposed as a primary responsibility.

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J. **General Responsibilities** – Within the corporate limits of the City of Savannah, SPD Officers shall at all times take appropriate action to:

SHIELDS OF SHAME

1. Protect life and property.
2. Preserve the peace.
3. Prevent crime.
4. Detect and arrest violators of the law.
5. Enforce all Federal, State, and local laws and ordinances within the jurisdiction of the SPD.

K. **Knowledge of Laws and Rules** - SPD employees are required to establish and maintain a working knowledge of laws and ordinances enforced within the City of Savannah, the rules and policies of the SPD and the City of Savannah, and the orders of the SPD and Divisions thereof. In the event of improper action or breach of discipline, it will be presumed that the employee was familiar with the law, rule, or policy in question.

L. **Taking Police Action** - SPD employees are required to take appropriate police action toward aiding fellow police officers and members of the public exposed to danger or in a situation where danger might be impending. Based on the facts of the situation, the failure to take appropriate police action may be considered neglect of duty which is a serious offense in the realm of discipline and could result in termination.

M. **Arresting and Dealing With Law Violators** - SPD Officers shall use powers of arrest strictly in accordance with the law and with due regard for the rights of the citizen concerned.

N. **Police Action Based on Legal Authority** – The requirement that legal justification be present imposes a limitation on an Officer's actions. An Officer must act reasonably within the limits of authority as defined by statute and judicial interpretation

O. **Who is to Take Action** - The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve employees of other units from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Employees assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

P. **Responding to Calls** - SPD employees will respond without delay to all calls for police assistance from citizens or other employees. Emergency calls take precedence; however, all calls will be answered as soon as possible, consistent with normal safety precautions and traffic laws. Failure to answer a call for police assistance promptly, without justification, is misconduct. Except under the most extraordinary circumstances, or when otherwise directed by competent authority, no employee will fail to answer any telephone or radio call directed to him.

Q. **Rendering Medical Aid** – SPD Officers will immediately summon the assistance of Emergency Medical Services for any person that an officer encounters as sick or injured to include use of force incidents. No request for EMS by a citizen will be denied.

SHIELDS OF SHAME

R. **Officer Availability** - SPD employees on duty will not conceal themselves, except when necessary to perform an assigned duty. They will be immediately and readily available to the public during duty hours.

S. **Clarification of Assignment** - SPD employees in doubt as to the nature or details of their assignment will seek such clarification from their supervisors by going through the chain of command.

T. **Reporting Accidents** - Accidents involving SPD personnel, property, and/or equipment must be reported as soon as possible.

U. **SPD Property and Equipment** – SPD employees are responsible for the proper care of Department property and equipment assigned to them. Damaged or lost property may subject the responsible individual to reimbursement charges and appropriate disciplinary action. SPD employees shall not use Department equipment or property except as assigned by an authorized supervisor.

V. **Damaged/Inoperative Property or Equipment** - SPD employees shall immediately report any loss of or damage to Department property assigned to or used by them to their immediate supervisor. The immediate supervisor shall be notified of any defects or hazardous conditions existing to any Department equipment or property.

W. **Presumption of Responsibility** - In the event that SPD property is found bearing obvious evidence of damage that has not been reported, it shall be prima facie evidence that the last person using the property or vehicle was responsible. This presumption shall also apply to lost or missing property.

X. **Arrests** - When making arrests, members will strictly observe the laws of arrest and the following provisions:

1. Only necessary restraint to assure safe custody and the safety of the officer shall be employed.

2. The arresting officer is responsible for the safety and protection of the arrested person while in his/her custody. The officer shall notify the transportation officers of any injury apparent illness or other condition which indicates the arrested person may need special care.

3. The arresting officer is responsible for the security of the personal property in the possession of the arrested person or under his/her control at the time of arrest. Except for vehicles, this responsibility transfers to the transportation officers when they accept custody of the arrested person.

Y. **Identification** - Except when impractical or unfeasible, or where the identity is obvious, Officers will identify themselves by displaying their badge before taking police action. Officers will provide their name and/or rank and/or payroll number and display their department issued identification whenever requested.

Z. **Transporting Persons in Police Vehicles** – Private Citizens may be transported in SPD vehicles only when necessary to accomplish a police purpose. Such transportation will be done in conformance with SPD policy and with the approval of a supervisor.

AA. **Orders** - Orders from a superior to a subordinate will be in clear and understandable language, civil in tone, and issued in pursuit of SPD business.

SHIELDS OF SHAME

1. **Inappropriate Orders** - No command or supervisory Officer will knowingly issue an order which is in violation of any law, ordinance, or Department rule. Employees who are given orders they feel to be unjust or contrary to rules and regulations must first obey the order to the best of their ability and then may proceed to appeal as provided below.

2. **Unlawful Orders** - Obedience to an unlawful order is never a defense to an unlawful action. Therefore, no employee is required to obey any order which is contrary to Federal or State, law or local ordinance. Responsibility for refusal to obey an order rests with the employee. Employees will be strictly required to justify their actions.

3. **Action upon receiving unlawful Orders** - SPD employees receiving an unlawful, unjust, or improper order will, at the first opportunity, report in writing to the Chief of Police through official channels. This report will contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time. Extra-departmental action regarding such an appeal will be conducted through the office of the Chief of Police.

4. **Conflicting Orders** - Upon receipt of an order conflicting with any previous order or instruction, the employee should advise the individual giving the second of the conflicting instruction. If so directed, the latter command will be obeyed first. Orders will be countermanded, or conflicting orders will be issued only when reasonably necessary for the good of the Department.

BB. **Conflict of Policy** - If an occasion arises where an SPD General Order and a City of Savannah policy are in direct conflict the City of Savannah policy shall supersede the Department.

CC. **Reporting Violations of Laws, Ordinances, Rules Or Orders** - Any employee who becomes aware of possible misconduct by another employee of SPD will immediately report the incident to a supervisor or directly to the Office of Professional Standards.

1. Any employee that observes serious misconduct will take appropriate action to cause the misconduct to immediately cease regardless of rank.

2. Any employee who is determined to have had such knowledge mentioned above and failed to report or attempt to prevent the conduct is subject to disciplinary action.

3. Retaliation against any other employee or member of the public, who reports, discloses, divulges or otherwise brings to the attention of appropriate authority any facts or information relative to the alleged violation of any law, ordinance or rule or regulation is strictly prohibited.

DD. **Medical Care** - Employees shall ensure that any injured or ill person is given the opportunity for medical care.

EE. **Payment of Debts** - All employees of the SPD will promptly pay their legal debts. Failure to do so will subject the offender to SPD disciplinary action.

FF. **Testimony in Civil Cases** - No sworn employee of the SPD will testify in any civil case in court unless legally summoned to do so or unless they have received permission or order from the Chief of Police.

SHIELDS OF SHAME

GG. **Use of Private Vehicles** - Sworn employees will not patrol their post or cover their assignment with a private vehicle unless they have been authorized to do so by competent authority.

HH. **False Information on Records** - Employees of the SPD will not make false official reports or knowingly or willingly enter or cause to be entered into any SPD books, records, or reports any inaccurate, false, or improper police information or material matter.

II. **Loitering** -During their tour of duty, employees of the SPD will not loiter in cafes, bars, restaurants, theaters, service stations, or other public businesses, unless the employee is working undercover. Other than those transacting police business, employees will not be permitted to loiter in or about police buildings.

JJ. **Withholding Evidence** - Employees of the SPD will not fabricate, withhold, or destroy any evidence of any kind.

KK. **Soliciting Petitions for Promotion or Change of Duty** - No employees of the SPD will solicit a petition supporting the promotion or demotion or a change in duty status, of any SPD employee. This excludes letters of endorsement by individuals for employment

LL. **Distribution of Cards, Buttons, Etc.** - Employees of the SPD, individually or representing police organizations, are prohibited from issuing to persons other than employees, volunteers or chaplains of the SPD, any identification card, button or other device which assumes or implies to grant the person any special privilege or consideration in their business of the SPD.

MM. **Gifts and Favors** - No employees of the SPD will seek or accept, under any circumstances, directly or indirectly, any gift, reward, present, money, gratuity, or any form of compensation from any person, based on their employment as an SPD employee or for any service rendered.

1. The Chief of Police is authorized to allow employees to accept and participate in publically presented acts of recognition.

NN. **Recognition of the United States Flag** – Uniformed sworn employees will render all honors to the flag in the form of a military salute.

1. Massed flags, flags used for decorative purposes, etc., will not be saluted.
2. During the playing of the national anthem officers will stand at attention and salute the flag.
3. A hand salute will be rendered to a color guard when posting or presenting the colors (U.S. flag) in either a parade or assembly.

V. DISCIPLINARY SYSTEM

I. SPD employees violating their oath and trust by committing an offense punishable under the laws or statutes of the United States, the State of Georgia, local ordinances, or who violates any provision of the Rules and Regulations of the Department, or who disobeys any lawful order, or who is incompetent to perform their duties is subject to appropriate disciplinary action.

SHIELDS OF SHAME

J. Final Department disciplinary authority and responsibility rests with the Chief of Police.

1. For disciplinary purposes, the Chief of Police has the authority to reprimand, suspend up to 30 days, demote, or dismiss the employee from the Department, subject to review by the City Manager.

2. If the employee involved feels they may have been improperly treated, they may apply to the City Manager for a hearing after receipt of written notice of the penalty.

3. Any appeal of the decision of the City Manager must be made in accordance with existing civil service rules and regulations. [CALEA 26.1.6]

K. Supervisory personnel may take the following measures in the course of discipline:

1. Assign an officer to either new training or remedial training.

2. Verbal Counseling will be documented and place in the Officer's file

3. Written reprimand (subject to approval by the Chief of Police).

4. Written recommendations for other penalties. [CALEA 26.1.5]

L. Whenever disciplinary action is to be taken or recommended, a written report must be submitted immediately, containing the following information:

1. The name, rank, payroll number, and present assignment of the person being disciplined.

2. The date(s) and time(s) of the misconduct and the location.

3. The section number(s) of the policy violated and wording.

4. A complete statement of the facts of the misconduct.

5. The punishment imposed or recommended.

6. The written signature, rank and payroll number of the preparing officer and their position in relation to the person being disciplined. [CALEA 26.1.5]

M. Any Supervisory or Command Officer has the authority to impose an emergency suspension against any employee regardless of the unit to which the employee is assigned until the next business day when an employee's continued presence at work would be a detriment to the efficiency of the Department or to public safety, A business day is defined as Monday through Friday from 0800 to 1700 hours. [CALEA 26.1.5]

N. An SPD employee receiving an emergency suspension will be required to report to the Division Commander on the next business day at 0800 hrs, unless otherwise directed by competent authority to appear at a different time or date. The command or supervisory officer imposing or recommending the suspension will also report to the Division Commander at the same time. The Chief of Police may sustain or rescind the suspension action. [CALEA 26.1.5]

O. When the command or supervisory officer of one unit orally reprimands an employee of another unit, they will notify the supervisor of the individual so disciplined as soon

SHIELDS OF SHAME

as possible. They will also submit a written report of this action and the reasons therefore to the commanding Officer of the employee.

This General Order serves as the Department's Rules and Regulations and supersedes all written directives issued prior to 04/23/2018 pursuant to **Oath of Office, Ethics, and Conduct.**

BY ORDER OF:
Original Signature on File

Mark Revenew
Interim Chief of Police

SHIELDS OF SHAME